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| 09/583,432      | 05/31/2000  | Aniruddha P. Joshi   | INTL-0361-US        | 1856             |

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EXAMINER

HSIA, SHERRIE Y

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/29/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/583,432

Applicant(s)

JOSHI ET AL.

Examiner

Sherrie Hsia

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-11,13-15,17-23 and 25-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-5,7-11,13-15 and 17-20 is/are allowed.
- 6) ☒ Claim(s) 21-23 and 25-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2614

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Objections***

2. Claims 1, 5 and 15 are objected to because of the following informalities:

In claim ~~1~~, line ~~7~~, before "state", second occurrence, --consumption-- should be inserted;

Line ~~10~~, "said" should be --a--.

In claim ~~5~~, line ~~1~~, "2" should be --1--.

In claim ~~15~~, line ~~1~~, "12" should be --11--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"a light sensor" claimed in claim 23 in combination with "a light sensor" claimed in claim 21 is not disclosed in the specification. The specification never discloses two light sensors. Therefore, it is considered as a new matter.

*Claim Rejections - 35 USC § 102*

4. Claims 31-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Brusky (6285406), of record.

As to claim 31, Brusky discloses all the claimed subject matter, the claimed enabling a processor-based system to transition from a lower power consumption state to a higher power consumption state in response to operation of a television receiver **is met by pressing the power button 132, changing the TV system from the suspend state to the on state (column 5, lines 30-35, column 7 lines 22-24).**

As to claim 32, Brusky discloses the claimed subject matter, the claimed transitioning the processor-based system between different power consumption states in response to operation of a power button **is met by pressing the power button 132, changing the PC/TV system from the suspend state to the on state (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 27-30, column 7 lines 18-20) and by pressing the power button 132, changing the PC/TV system from the on state to the suspend state (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 22-25, column 7 lines 18-20).**

As to claims 33 and 34, the claimed transitioning the system between power consumption states in response to the amount of activity on the processor-based system and transitioning the processor-based system based on activity surrounding the processor-based system are disclosed by Brusky (column 4 lines 23-43).

Art Unit: 2614

5. Claims 36-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Hosoya (4800437).

As to claim 36, Hosoya discloses all the claimed subject matter, the claimed operating a processor-based system **is met by operating an image photography apparatus (Fig. 2) which includes an image processing unit (column 2 line 55-column 10)** and the claimed controlling a characteristic of the processor-based system by detecting light from the operation of a television receiver **is met by detecting the presence of light coming from screen 6 of TV monitor 4, judging whether or not TV monitor is powered and based on the judgment, relay switch 94, which is provided for one of intermediate cables 62a and 62b connected to camera, is opened or closed (column 5 line 48-column 6 line 4).**

As to claim 37, the claimed controlling a characteristic of the processor-based system includes controlling a power consumption state of the processor-base system is disclosed by Hosoya (column 5 line 48-column 6 line 4, column 6 lines 34-37).

As to claim 38, the claimed controlling a characteristic includes transitioning the processor-based system from a lower to a higher power consumption state in response to the detection of light from the operation of a television receiver is met by detecting light from the screen of the TV monitor (i.e. TV monitor is on), contact 95 of relay switch 94 is controlled from off to on (column 5 line 66-column 6 line 2, column 6 lines 34-37).

As to claim 39, the claimed transitioning the processor-based system between different power consumption states in response to operation of a power button is disclosed by Hosoya (column 6 lines 28-37).

As to claim 40, the claimed transitioning the system between power consumption states in response to the amount of activity on the processor-based system is disclosed by Hosoya (detecting light coming from screen, detecting height of power switch changed by on/off operation of switch 10, detects whether pilot lamp is turned on or off, or detecting whether power switch is on or off based on the presence or absence of a magnetic field generated by screen 6) (column 5 line 48-column 6 line 32).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 21-23, 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky of record in view of Hosoya (4800437).

Art Unit: 2614

As to claim 21, Brusky discloses all the claimed subject matter, the claimed processor is **met by the processor unit 120 (Fig. 1)**, the claimed storage coupled to the processor is **met by the storage unit 125 (Fig. 1)**, the claimed television receiver coupled to the processor is **met by the receiver 105 (Fig. 1)**, the claimed power button is **met by the power button 132**, and the claimed power button operable to cause the system to transition from a lower power consumption state to a higher power consumption state or to transition from the higher power consumption state to the lower power consumption state is **met by pressing the power button 132, changing the PC/TV system from the suspend state to the on (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 27-30, column 7 lines 18-20) or by pressing the power button 132, changing the PC/TV system from the on state to the suspend state (column 2 lines 32-34, column 4 lines 39-41, column 5, lines 22-25, column 7 lines 18-20).**

Brusky does not show a light sensor to detect light from operation of the television receiver. However, Hosoya shows a light sensor 92 to detect light from operation of the television receiver (**column 5 line 48-column 6 line 4**) to prevent any error from occurring. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brusky by utilizing a light sensor as taught by Hosoya in order to conserve energy.

As to claim 22, the claimed housing is met by the system 100 (Fig. 1), and as to the claimed sensor, see reasons as indicated above.

As to claim 23, see reasons as indicated above for the light sensor.

As to claim 26, the claimed operation of the power button does not remove power from the system is inherently included in Brusky, since Brusky discloses that a single power button

Art Unit: 2614

press can switch the PC/TV system between the on state and suspend state (column 2 lines 32-34, column 5 lines 22-32, column 7 lines 18-22).

As to claim 30, the claimed power button and remote control unit **is met by the power button 132 and the remote control unit 130 (column 5 lines 19, 22-23, 27-29).**

7. ✓ Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky of record in view of Hosoya (4800437) as applied to claims 21-23 above, and further in view of Mahvi (6259486).

Brusky does not show the claimed motion sensor detecting motion around the housing. Mahvi shows a motion sensor (18) for sensing presence of a living being (column 2 lines 18-23, lines 39-42) to control operation of a television set. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brusky by utilizing a motion sensor as taught by Mahvi to control the PC/TV system in order to conserve resources otherwise expended as a result of non-viewed operating sets.

8. ✓ Claims 21-23, 26, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler (6205318) of record in view of Hosoya (4800437).

As to claim 21, Schindler discloses all the claimed subject matter, the claimed processor **is met by the processor 310 (Fig. 2)**, the claimed storage coupled to the processor **is met by the RAM 314 (Fig. 2)**, the claimed television receiver coupled to the processor **is met by TV 150 (fig. 1)**, the claimed power button **is met by the power button 914 or 1016**, and the claimed power button operable to cause the system to transition from a lower power consumption state to



Art Unit: 2614

a higher power consumption state or to transition from the higher power consumption state to the lower power consumption state is met by turning on the power button, changing the system from the standby mode to the on power mode (column 2 lines 9, 15-16, column 8 lines 58-61) or by turning off the power button, changing the system from the on power mode to the standby mode (column 2 lines 9, 15-16, column 8 lines 49-53).

Schindler does not show a light sensor to detect light from operation of the television receiver. However, Hosoya shows a light sensor 92 to detect light from operation of the television receiver (column 5 line 48-column 6 line 4) to prevent any error from occurring. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler by utilizing a light sensor as taught by Hosoya in order to conserve energy.

As to claim 22, the claimed housing is met by the system device 118 (Fig. 1), and as to the claimed sensor, see reasons as indicated above.

As to claim 23, see reasons as indicated above for the light sensor.

As to claim 26, the claimed subject matter is inherently included in Schindler, since Schindler discloses that the single power button press can switch the system between the on power mode and standby mode (column 2 lines 9, 15-16, column 8 lines 49-53, 58-61).

As to claim 29, Since Schindler teaches a home entertainment system which includes the antenna 114, to receive the satellite signals, connected to a personal computer 118, and the personal computer is connected to NTSC TV 150, VCR or other devices. So, in order to receive services of the broadcastings, the person computer installed herein is acted as a receiver, i.e. the set top box to decode compressed signal of the received broadcasting. Therefore, the claimed set-top box is inherently included in Schindler.

Art Unit: 2614

As to claim 30, the claimed remote control unit and power button **is met by the power button 914 or 1016 and the remote keyboard 126 or the hand held remote 124.**

9/ Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler of record in view of Hosoya (4800437) as applied to claims 21-23, 26, 29 and 30 above, and further in view of Mahvi (6259486).

Schindler does not show the claimed motion sensor detecting motion around the housing. Mahvi shows a motion sensor (18) for sensing presence of a living being (column 2 lines 18-23, lines 39-42) to control operation of a television set. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler by utilizing a motion sensor as taught by Mahvi to control the system in order to conserve resources otherwise expended as a result of non-viewed operating sets.

10/ Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky or Schindler of record in view of Hosoya (4800437) as applied to claims 21-23 and 26 above, and further in view of Gillespie (6393573) of record.

As to claim 27, Brusky or Schindler does not show the claimed timer that transitions the system to a still lower power consumption state in response to system inactivity for a period of time. However, Gillespie shows **the standby timer** that transitions the system to a still lower power consumption state in response to system inactivity for a period of time (**Fig. 2, column 5 line 9-12**). It would have been obvious to one of ordinary skill in the art at the time the invention

Art Unit: 2614

was made to modify Brusky or Schindler by employing a timer as taught by Gillespie in order to drop the power consumption and to save energy.

As to claim 28, Brusky or Schindler does not show the claimed system automatically transitions from the still lower power consumption state in response to the detection of activity proximate to the processor. However, Gillespie shows **the transition from the power save state 42 to the full power state 44 or the standby+ state 43 while any system activity is detected (the ignition is on) (Fig. 2) to allow the processor to operate in a mobile environment with low power consumption and fast boot-up time.** It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brusky or Schindler by having such transition as taught by Gillespie in order to minimize power consumption and to reduce or eliminate boot-up time.

11. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky of record in view of Mahvi (6259486).

Brusky does not show the claimed detecting motion around the processor-based system. Mahvi shows a motion sensor (18) for sensing presence of a living being (column 2 lines 18-23, lines 39-42) to control operation of a television set. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brusky by utilizing a motion sensor as taught by Mahvi to control the PC/TV system in order to conserve resources otherwise expended as a result of non-viewed operating sets.

Art Unit: 2614

*Allowable Subject Matter*

12. Claims 1, 3-5, 7-11, 13-15 and 17-20 are allowable over prior art.

*Conclusion*

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (703) 305-4738.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795.

**Any response to this final action should be mailed to:**

Art Unit: 2614

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Sherrie Hsia  
Primary Examiner  
Art Unit 2614

SH

August 25, 2003